



1 UNITED STATES DISTRICT COURT
2 DISTRICT OF NEVADA

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4
5 UNITED STATES OF AMERICA,
6 Plaintiff,

7 vs.

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9 GOLDSBY, JASON, et al.,
10 Defendants.

2:16-cr-00294-JCM-VCF

11 **ORDER**

MOTION FOR ADDITIONAL ACCESS TO
THE LAW LIBRARY AND A COMPUTER TO
REVIEW DISCOVERY [ECF NO. 322]

12 Defendant Jason Goldsby filed a motion for additional access to the law library and a computer
13 to review discovery ECF No. 322. I grant the defendant's motion in part.

14 Defendant argues that he needs additional access to the law library and a computer to review
15 discovery because he needs to review 1500 bates stamped pages of documents, 17 hours surveillance
16 videos, 1 hour and 9 minutes of audio files, and 631 photos so that he can prepare for his trial which is
17 set for September 27, 2021. *Id.* at 2. The government argues in response that it does not oppose 1 hour a
18 day access only. ECF No. 327 at 2. Defendant did not file a reply.

19 The Sixth Amendment provides that in all criminal prosecutions, the accused shall enjoy the
20 right to have the assistance of counsel for his defense. U.S. Const. Amend. VI.; see also *Brady v.*
21 *Maryland*, 373 U.S. 83, 87, 83 S. Ct. 1194, 1196-97 (1963); and *Frazer v. United States*, 18 F.3d 778,
22 781 (9th Cir. 1994). I find that Goldsby has provided compelling reasons why he needs additional access
23 to the law library with access to a computer to review evidence. Goldsby's ability to review evidence
24 prior to trial it is necessary for preparation of his defense and to ensure that he has effective assistance of
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1 counsel. I deny Goldsby's request for access to his own computer to review evidence because Goldsby
2 will have access to a computer at the law library. Since Goldsby has over 18 hours of video/audio
3 footage to review and many pages of documentary evidence, I order that Goldsby must have at least 3
4 hours per day access to the law library with access to a computer to prepare for his upcoming trial.

5 ACCORDINGLY, and for good cause shown,

6 I ORDER that defendant Jason Goldsby's motion for additional access to the law library and a
7 computer to review discovery (ECF No. 322) is GRANTED IN PART.

8 I FURTHER ORDER that Jason Goldsby be granted at least 3 hours per day to access the law
9 library with access to a computer to prepare for his defense while in custody. If the law library to which
10 Goldsby has access is not otherwise in use by other detainees after Goldsby has exhausted his three
11 hours during the day, the detention facility must reasonably provide Goldsby with additional hours of
12 access during that day.

13 DATED this 17th day of September 2021.

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16 CAM FERENBACH
17 UNITED STATES MAGISTRATE JUDGE
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